

right of action has already accrued, but the statutes in force previous to the ratification of this act shall be applicable to such cases; and in cases where the right of action has already accrued, but the action has not been commenced, the said statutes shall be applied according to the subject-matter of the action, and without regard to the form.

§17.—Period of Limitation—Objection must be taken by answer.

Civil actions can only be commenced within the periods prescribed in this title, after the cause of action shall have accrued, except where, in special cases, a different limitation is prescribed by statute. But the objection that the action was not commenced within the time limited, can only be taken by answer.

CHAPTER II.

ACTIONS FOR THE RECOVERY OF REAL PROPERTY—TIME OF COMMENCING.

§18.—When the State will not sue; Thirty years possession; Twenty-one years possession under colorable title.

The State will not sue any person for, or in respect of, any real property, or the issues or profits thereof, by reason of the right or title of the State to the same;

1. When the person in possession thereof, or those under whom he claims, shall have been in the adverse possession thereof for thirty years, such possession having been ascertained and identified under known and visible lines or boundaries; and such possession, so held, shall give a title in fee to the possessor.

2. When the person in possession thereof, or those under whom he claims, shall have been in possession under colorable title for twenty-one years, such possession having been ascertained and identified under known and visible lines or boundaries.

§19.—Such possession valid against claimants under the State.

All such possession as is described in the preceding section, under such title as is therein described, is hereby ratified and